[R S App [IX 4]

Previous References

1943-44
(Municipal)

File No.

Serial Nos 14, 25, 31, 32

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Sept 43

SUBJECT

Petitions protesting against the Sale of Minton Stalls by public auction in Chuchuagore town

To
The D C Kaduna Div.
The Comptroller
No 3473-4 d 21-9-43

Records the Resolution of the Chuchuagore Town and d on the above Subject.

5357 Protest against the sale of Mutton Sts by Public auction in Chikunagalur town

Continuation Sheet | File No / Current No | of | Page

Petn dated 15-7-43 addressed to the Member Esq by Mr Zia Abdulla Sahib Advocate & Chikunagalur protesting against the sale by auction of the Mutton-Stalls for Rs 6700/- instead of leasing out the Stalls at Rs 12/- per month

The action perhaps is the result of the attempt of the municipality to improve their finances. While passing the budget estimates of the municipality for the current year, Govt observed that the municipality should improve their finances by the sale of their properties in the direction which perhaps be objected to

The petitioner will be forwarded to the D.C. Kadur for his remarks

MKS 21/7/43

23/7 This is a matter which is purely within the competence of the local municipal council No report has been received in this office yet from D.C Kadur District

4) The petition will be sent to the D.C Kadur with for his remarks

Law Dept 23/7/43

5) Etc 27-7-43

SECY LAW DEPT PSI 27/7/43 YCORE

Continuation Sheet — File No / Current No 589/1 of 623 Page

6) on put up for approval

7) Dossier 4/8/43

L/H&S, 8 4/8/43

From the P.S. H-H

Memorial P. 433, 8 24.5.43

This is the petition referred to in the Chief Magistrate's letter of 8) This petition is the same Malkiel has sent to the D.C. Kader for disposal and reporting action taken.

The above petition will be filed with the papers and the case kept in view till the receipt of the report called for

9) yes 1.7.43

9.8.43

attend to Law Secy

Petition dt 24.8.43 from Md Asaff and others of Chetmagalam town protesting against the procedure adopted by the Chief Magistrate and D.C. re disposal of the lease of Nutshell Stalls for the year 1943-44

Petition addressed to the Minister for Law and P.H. in the same letter

Minister's minute on the petition

A

Continuation Sheet. File No 1307 / Current No of Page

A report may be called from the DC in the matter" vide HQ dy 25 8 43

Petitioners dated 24-8-43 addressed to the Governor by the same signatories on the same matter" re Land Case

11) The first petition dated 15-7-43 addressed to the Minister for Lands & Mines by Indian Abdul & Others of Chitrapatty, has been forwarded to the DC Kadur with memo no L1484 dated 6-8-43 for disposal and report of action taken. Subsequently 4 more petitions on the same matter have been received including the above one. The DC's report when taken may be awaited & the connected file is put up 28/8/43

12) Issue. Interim reply to the petitioners intimating that a report has been called for from the DC Kadur, necessary orders

13) Memo Issued no L 2717 dy 28-8-43

From the DC Kadur

letter no A3 C 486/43-44 dy 31 8 43

Submits a report in the matter as called for

Lease of Mutton Stalls in Chittagong Town

Continuation Sheet | File No / Current No | of | Page

As respects the exception taken by the Mel on the representations of the Professional Meat Sellers and the Public, the Council have resolved in their meeting on the 14th August 1943 to revert to the old system of leasing out each Mutton Stall on its monthly rental. The present contractor of all the nine shops has agreed to breach his contract on three conditions as enumerated in paragraph 3 of the P.W.D. There will be no interference on the part of the Municipal Council in this change the lease of the Stalls as is now proposed. Mr. C also favours this view and requests sanction for the resolution

No sanction was sought by the Municipality for their previous resolution, it has been reported to Government for approval/to accord sanction to the proposal to recorde the correspondence may perhaps do

The report in the matter was called for as directed by the minister in [illegible]

(Sd) R.

By the D.C's report explains the facts of the case in full & also the action taken by the Mel to allay the public excitement in this behalf the public interest of the matter

1572

Continuation Sheet | File No / Current No | of | Page

OFFICE OF THE MINISTER FOR PUBLIC WORKS
7 SEP 1943
No. 1585

public seems to have run high at the previous acts of the steel mixing Lobby away the matter still rests to one body who would have monopolized the trade as it were and by the number of petitions addressed to it the Members of the Government of Mysore

(2) The electric supply should have now done the right thing in resisting to the very steps of allotting the matter still to the contractors who were dumping the same basement dung last year at the rates which were in force then This might mean some sacrifice of revenue to the Board But the public at the Government interests stand to gain by this arrangement

(3) The records dated 14 & 43 might be recorded & the records returned to the Executive Engineer

Refer Hy R & para 10 Supra

Lawrence
6/9/43

May be approved. The
will get matters right

Mahajan
7/9/43

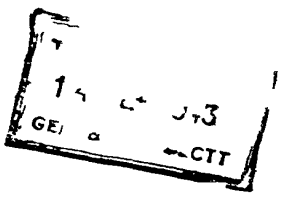
Jambulingam
6/9/43

SECY LAW DEPT
GOVT OF MYSORE

WD 1140—GPB—50 000—5-11-42

Lease of Hutton Stalls at Chelmsford Town.

Continuation Sheet | File No / Current No | of | Page



Sfo 50 Rd

hmw
9/9/43
11

Sprague
11/9/43

To the Director of Estates
& Comptroller
Sfo No L 3473-4 of 21-9-43
Records the resolution of the meeting

OFFICE OF THE MINISTER FOR L S G & P H
Dat 26 7 43.
No P62

464-38
43-44
MYSORE LAW DEPT

H B Gundappa Gowda Esqr , B A , B L

Minister for Local and Self Government,

Bangalore

Honoured Sir ,

We, the undersigned Citizens of Chikmaglur Town request your permission to bring to your kind notice the long desired eagerly awaited and urgently required consideration and favourable orders in the matter of disposing of the Mutton Stalls of the Municipality and pray your permission to state as follows -

The Mutton Stalls in Chikma glur Town were being rented out to the bonafide mutton sellers on a rent of Rs 12/- per month till 30th' June' 1943 This year the vegeterian members of the Town Municipality changed their policy and has disposed off them to the highest bidder for 6700/- per year (excluding the daily charges of Octroi and slaughtering charges) which which approximately works out to be Rs 30/- per day) there by making a source of income to the Municipality without any consideration, whatso ever, to the inconvinience and extra cost to the Non-Vegeterian citizens of this town You may know, Sir , how important food mutton is to the Non-vegeterian and the Non-vegeterian communities are mostly poor and working classes

The Municipality is exhorbitantly taxing the Non-vegeterian Rs 30/- per day through the monopoly of the mutton stalls This taxation of the poor working classes is by no means fair and just We therefore pray your honour to dispose of the afore said Stalls in accordance with the desires of the represent-tatives of the Non-vegeterian communities either directly or by referring the matter to a select committee of Non-vegeterians

Though some of the Members of the afore said Munici-
ted to the Council in the last meeting held
in convience

would be , if Mutton Stalls were to be disposed of to one individual by tender system, the vegeterian members of the Council without any regards to the interest of the other communities were bent upon voting for the above system there-by making mutton scarce and costly .They were so unsympathitic in this matter that they did not care to pay any attention to the explahnation offerred by Mr S N Ramanna, B A ,LL LL B , President of the District Board and the Ex-President of the Town Municipal Council and some others and hastily passed the same in the absence of the Official President

In spite of the orders of the then Dewan of Mysore that the Stalls in question may leased out on a flat rate prevalant in other Municipality such as Bangalore and Mysore, the members of the afore said Council are bent upon wounding the feelings and canning the interest to very roots of the non-vegeterian public by voting against their legitimate needs when they themselves do not have the least interest in the matter

One more point to which we earnestly pray your to pay your kind kind and sympathitic attention is the location of the Mutton Stalls of the Market Road The locality in which the present Mutton Market is situated is the dirtiest of all the localities inthe Chikmaglur Town for reasons hereunder mentioned

i) The toddy Shop is close by The Mutton is being polluted through flies by the nuisance committed by the toddy- drunkards

ii) The pond where all sorts of people answer their calls of nature day and night is close by

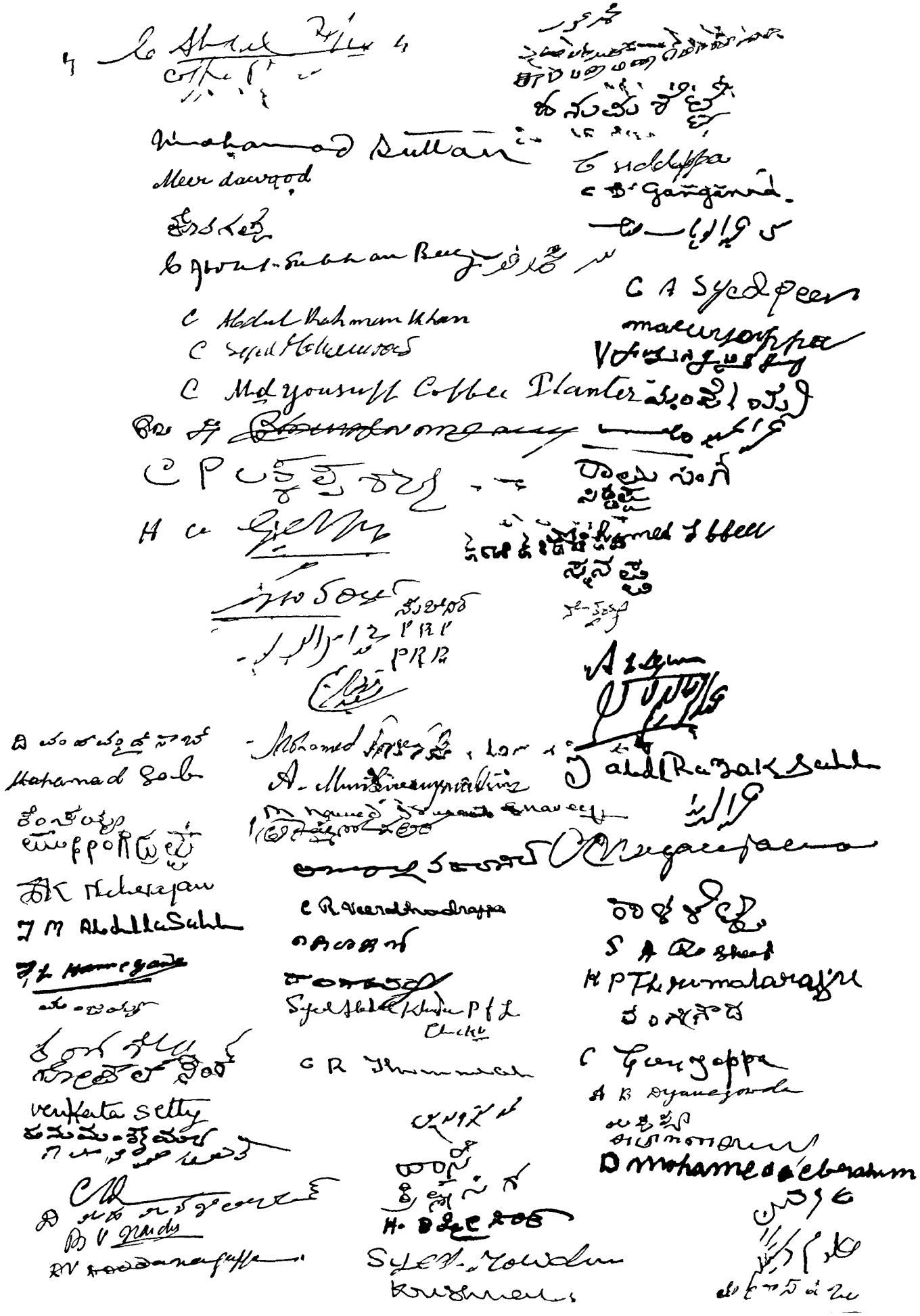
iii) Since this Malnad , during rainy season the Non-Vegeterian Citizens of different localities feel it very hard for marketing and the present market is not within easy reach of people of different localities In view of the afore said , we humbly pray that a shop be located in each of the Non-Vegeterian localities

for which act of kindness, we shall pray your honour for long life and prosperity,

We beg to remain ,
Honoured Sir,-
Yours most Obedient servants,

Chikmaglur
15th' July'43

J M Ahmed Hussain Coffee Planter
Market Street
Chikmagalur



Dt 4-8-43

To
The Deputy Commissioner,
Kadur District, Chikmagalur, for forwarding petition dated
Report packed taken in the matter of
Representation of Muslims
for Secretary to Govt,
Law Department

3/8

Forwarded, with compliments, to the Deputy Commissioner and
Kadur District, Chikmagalur, for favour of petition dated
Report packed taken in the matter of
Representation of Muslims
for Secretary to Govt,
Law Department

3/8

DEPUTY COMMISSIONER'S OFFICE
AUG 1943
KADUR

1132

WD 651—GBPM—500—19 11 41

111-43-14

623

No P.L.3 / 6346

THE PALACE MYSORE,

20th June 1943

LSG BRANCH

The petition of which particulars are given below ~~to His Highness the Maharaja~~ is forwarded with compliments for favour of disposal

To

The Secretary to the Government
of H H the Maharaja of Mysore
Law Department
Bangalore

SECY LAW DEPT
COVT OF MYSORE

By Order

Hony Secretary
~~Private Secretary~~
to H H the Maharaja of Mysore

No of

Petition from certain citizens of Chikmagalur asking that the result of the Muslim Stalls in the Muslim market at Chikmagalur may be closed at a reasonable flat rate, & that the market may be

Shifts to a more sanitary locality

20 JULY 1943
TO H H THE MAHARAJA OF MYSORE

To

Siddig-Ul-Mulk,

Sadig 7 Shah Saheb ,

Huzur Secretary to His Highness the Maharaja of Mysore

Mysore

Honoured Sir:,

We, the undersigned Citizens of Chikmaglur Town request your permission to bring to your kind notice the long desired eagerly awaited and urgently required consideration and favourable orders in the matter of disposing of the Mutton Stalls of the Municipality and pray your permission to state as follows -

The Mutton Stalls in Chikma glur Town were being rented out to the bonafide ~~xx~~ mutton sellers on a rent of s 1 12/- per month till 30th' June' 1943 This year the vegeterian merbers of the Town Municipality changed their policy and has disposed off them to the highest bidder for s 6700/- per year (excluding the daily charges of Octroi and slaughtering charges) whi- which approximately works out to be 30/- per day there by maki a source of income to the Municipality without any consideration, whatso ever, to the inconvinience and extra cost to the Non-Vegeter--rian citizens of this town You may know, Sir , how Important a food mutton is to the Non-~~vegetxxxxxxxxxxx~~ vegeterian and the Non-vegeterian communities are mostly poor and working classes

The Municipality is exhorbitantly taxing the Non-vegeterian Rs 30/- per day through the monopoly of the mutton stalls This taxation of the poor working classes is by no means fair and just we therefore pray your honour to dispose of the afore said Stalls in accordance with the desires of the represent--tatives of the Non-vegeterian communities either directly or by referring the matter to a Select committee of Non-vegeterians

~~T xx~~ some of the Members of the afore said Municipal- the last meeting

would be , if Mutton Stalls were to be disposed of to one individual by tender system, the vegeterian members of the Council without any regards to the interest of the other communities were bent upon voting for the above system there-by making mutton scarce and costly They were so unsympathitic in this matter that they did not care to pay any attention to the explaination offerred by Mr S N Ramanna, B A ,LL LL B , President of the District Board and the Ex-President of the Town Municipal Council and some others and hastily passed the same in the absence of the Official President

In spite of the orders of the then Dewan of Mysore that the Stalls in question may leased out on a flat rate prevalent in other Municipality such as Bangalore and Mysore, the members of the afore said Council are bent upon wounding the feelings and causing the interest to very roots of the non-vegeterian public by voting against their legitimate needs when they themselves do not have the le least interest in the matter

One more point to which we earnestly pray your to pay your kind Kind and sympathitic attention is the location of the Mutton Stalls of the Market Road. The locality in which the present Mutton Market is situated is the dirtiest of all the localities inthe Chikmaglur Town for reasons hereunder mentioned

i) The toddy Shop is close by the Mutton is being polluted through flies by the nuisance committed by the toddy-drunkards

ii) The pond where all sorts of people answer their calls of nature day and night is close by

iii) Since this Railroad , during rainy season the Non-Vegeterian Citizens of difierent localities feel it very hard for marketing and the present market is not within easy reach of people of different localities In view of the afore said , we humbly pray that a shop be located in each of the Non-Vegeterian localities

For which act of kindness, we shall pray your honour for long life and prosperity,

We beg to remain ,
Honoured Sir,
Yours most Obedient servants,

Chikmaglur
15th' July'43

B Ahmed Hussain Coffee Planter
Manroe Street
Chikmagalur

OFFICE OF THE DIRECTOR
FOR L S G & P H
Dat 25 8 43
No P221

H B Gundappa Gowda Esqr., B A, B L

Minister for Public Health & L S G

Bangalore

BEN & PUBLIC HEALTH
1302/L
25 AUG 1943
L S G DEPT CH

The Public of Chikmagalur,

Chikmagalur

Respected Sir,

We, the Lessees of stall rents in Chikmagalur Municipality for 1942-44 (1st July 42 to 30th June 44) beg to represent the following grievance and humbly seek redress -

1) It was a practice in past years to grant stalls to professional butchers on rent per stall fixed by the council, in accordance with that tenders were called for in the month, subject to a deposit of three months rent @ Rs. 2/- along with the tenders accordingly 1 tenders were received in the office within this above specified time (vide resolution No. 220 of General meeting of 30-6-43)

2) The said meeting was held on 30-7-43, this subject was brought to the last though it was much prior in the agenda time of discussion may be 6 P.M. or there about & the meeting closed at 10-30 P.M. with that subject

3) The allotment should have naturally taken place in the Council of 30-7-43

4) Regardless of the tenders received which were rejected without reason the discussion was given the shape of "whether to give the stalls to the highest bidder collectively all 7 stalls" It was resolved by majority of members that the highest bidder be called upon the spot and one bidder Abdul Rasool who bid for Rs. 1/- per stall was accepted as the highest and the stalls were granted to him.

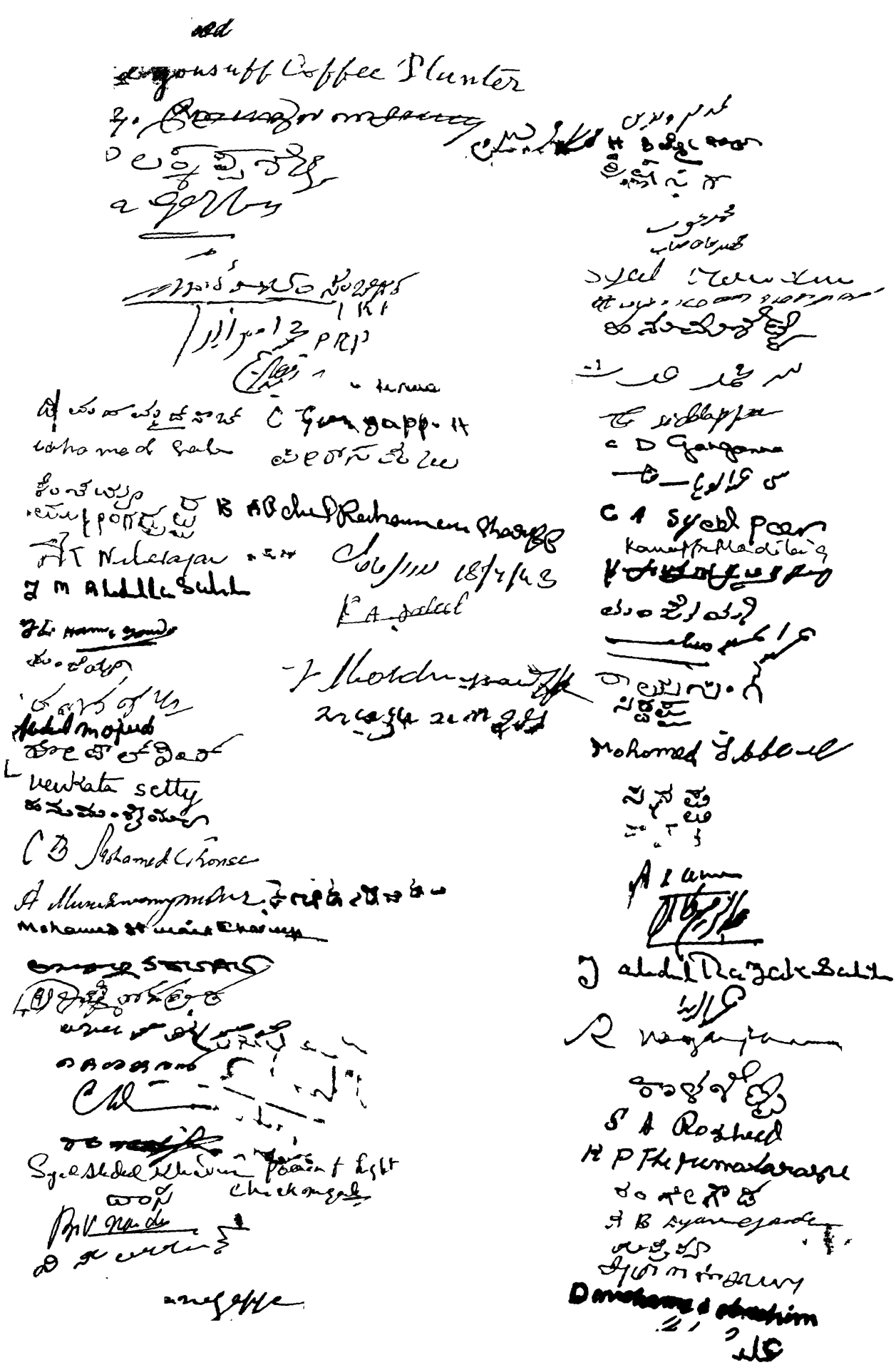
5 The afore said procedure is illegal and contrary to the arrangement fixed (stated in para 1) It is detrimental to the consumers as the entire trade is in the hands of the monopolist;

detrimental to professional butchers, to whom meat vending [illegible] means of livelihood, in every sense of equity it is contrary to the the spirit of the rules, to auction the right of selling essential food stuff essential at least to the section which consumes it, and this is majority of the population of the town The figgre of ₹700/- realised is beyond sense of reason-lleness when compared to whatever may have been obtained by like course (Auction) in past years when it had reached ₹ [illegible]/- [illegible] when the Deputy Commissioner was carrying on the Municipal work and the members stood resigned [illegible] (This precedent sale at ₹ 2500/- was critised by the the public and the said D C granted the stalls as per wish of the council A representation was made in 1933 to the Dewan Saheb Sir, Mirza Ismail who visited Chikmaglur in 1933 and he was pleased to give the Council instructions to accept the method in words quoted below

"No A 3-3090 / 1933 Encl 3 petitions The system in [illegible] Bangalore and Mysore Municipality may be adopted for leasing the [illegible] stalls and the same being constructed in different quarters of the town for the convenience of the public The above instructions may be followed- report of action taken may be submitted within a fortnight Sd/- B Thimraj rs For Deputy Commissioner' there upon the Stalls there granted on rental system at ₹ 1?/ - per mensum for bonafide butchers - a sorry way of carrying out the afore said instructions when rent in said premier Municipalities is Rs 2/- to 4 only

6) For placating sake a nominal condition is imposed on the contractor to sell meat at maximum price level of Rs 0-12-0 a seer This palative is nice to look at , but the truth of the matter it is never observed by the contractor and he sells at prices suited to himself (beginning low in July gradually rising in drier summer months) ~~to Rs 0-12-0~~ for above the limited price It is not a workable proposition to the contractor to sell at 12 annas a seerr when the large sum of 6700/- is to be paid to the Municipality, The consuming public suffer both by paying higher prices to purchase the commodity and the contractor is at liberty to handle the public according to t[illegible] whims and fancies and also friendliness and prejudice

P T O



[illegible] it was resolved that [illegible] Kanilo illegality in its effort to [illegible] action that might [illegible] adverse action on [illegible] stating as much as the fact that the [illegible] was illegal, not even [illegible] agreed to be governing [illegible] to the resolution [illegible] meeting [illegible] Lessees' confirmation

[illegible] stenos to the [illegible] [illegible] by a committee [illegible] by the corporation [illegible] [illegible] matter, the [illegible] conclusion [illegible] leased to [illegible] [illegible] [illegible] [illegible] may be assumed that the [illegible]

6. The [illegible] additional matter [illegible] it had to the [illegible] to reconsider this matter and give opinion about the [illegible] cellatio

7. The Deputy Commissioner [illegible] at [illegible] sound orders, and t[illegible] public have no [illegible] dress of the grievances, once the [illegible] petition is passed before the Government [illegible]

10. The subject was included [illegible] the subjects of the [illegible] but the [illegible] and for the [illegible] Date.

As the last subject for the day, [illegible] agreement the [illegible] adjournment was [illegible] in this meeting at [illegible] [illegible] [illegible] received their seats, were in the building holding [illegible] with the contractor the Chairman [illegible] meeting officially elected for the [illegible] out of the meeting, in the absence of the official President adjourned the meeting [illegible] on the reason of WANT OF QUORUM. Then the adjourned meeting concluded.

11. This adjourned meeting was opened once again immediately, it being declared to the meeting that as long as a number of members present there was no reason to adjourn the meeting for want of [illegible]. The meeting is an adjourned meeting of [illegible] an adjourned meeting [illegible] and adjourned meetings illegal, [illegible] some [illegible] left the spot. Any resolution passed in this meeting is likewise illegal [illegible] or as this illegal meeting is concerned the situation stood as [illegible] were [illegible] for conciliation the [illegible] to the contractor, one neutral, [illegible] were [illegible] of opinion that [illegible] they would declare after obtaining legal opinion as to the legality under the contract granted to lessee (Contractor) in the meeting [illegible]

[illegible] of this meeting, matters were referred to the

referred to the legal adviser [illegible] to state that the conduct the meeting and the resolution arrived at this meeting illegal and unjust. The facts can easily ascertained by inspecting the minute book containing proceedings of the meetings of Council [illegible] the worst of this is delay of the Council in the interest of the public, which affects Public's pocket and [illegible]

In conclusion the public of Chikmagalur town humbly request being covered by the immediate action

i) to cancel the [illegible] to the Municipality to enable the entire west tract of the [illegible] Cancel Auction of 30 6 43

ii) to grant stalls as customary to Bonafide butchers under tender submitted in accordance with notification dated [illegible]

iii) [illegible] to grant stalls to bonafide butchers instead of [illegible] individual contractors which protest has been made in several memorials long

iv) [illegible] accommodate [illegible] as in Mangalore and Hubli and [illegible] stalls [illegible] which ever is [illegible] and every [illegible] and in years and years to avoid confusion [illegible] bidding shall be called out [illegible] to [illegible], whereby butchers can vend, whereby the rents in Bangalore and [illegible] are like /- to 4/-

v) [illegible] more stalls in [illegible] places in the town

for which act of [illegible], we shall ever remain grateful,

Yours to command,

24th August

Per Pro V S Mohamed Yousuff & Bros. V S Mohamed Yousuff

Per Pro C A Raoof Khan MAHADOOB BAIG
COMMISSION AGENTS & GENL MERCHANTS
CHIKMAGALUR

Per Pro Hajee Oomer Hajee Habib

For The Special Coffee Works
Abdul Latif

P. Abdul Samad & Sons,
CLOTH MERCHANTS,
CHIKMAGALUR

ABDUL SATTAR SAIT
CHIKMAGALUR

[illegible] contractor

[illegible] Planters, Chikmagalur

[illegible] Coffee Planter, Chikmagalur

[illegible] Coffee Planter Chikmagalur

[illegible] Coffee Planters

[illegible] COFFEE [illegible] MACHINE FACTORY

Manager.
Bala Shree Sha
Chickmagalur
8/23/8/43.
S Abdul Rahim Sheriff

V M
Merchant & Commission Agent
CHICKMAGALUR

For R K Nilkanth & Sons
R K Abdul Hakim
T Mohamed Zickria & Co
MERCHANT
C (Mysore State)
for- S Abdul Rahim
[illegible]

Syed Meeran Basha
H Kahn Sharif
Dawood Gatter Khan
[illegible]
S Ahmed Hussain
Coffee planters

FOR T M. MOOSA EBRAHIM & Co.
A Mohd Ebrahim
PROPRIETOR.

VAE [illegible] L AI3 [illegible]
CO FEE [illegible] TS & C [illegible] I DIA TS
CHICKM GALU R
[illegible]

[illegible]

The Secretary
Basappa
Asst General Secretary
Anjuman-e-Islamia
Chickmagalur

[illegible]

[illegible]

T Abdul Wahab,
Municipal Councillor

[illegible]
Mumtaz Khan
municipal councillor

207 W 111-43-25

GEN & P V SEC
1307/L
25 AUG 1943
L C

C Narayanaswamma Esqr ,B A ,B L
Law Secretary to the Government of Mysore,
Bangalore

[illegible]

detrimental to professional butchers to whom meat vending [illegible] means of livelihood, in every sense of equity it is contrary to the spirit of the rules, to auction the right of selling essential food stuff, essential at least to the section which consumes it and this is majority of the population of the town. The figure of Rs. 700/- realised is beyond sense of reasonableness as compared to whatever may have been obtained by like competition in past years when it had reached Rs. 500/- in 1933 when the Deputy Commissioner was carrying on the Municipal work and the members stood forbidden. Incidentally, this precedent sale at Rs. 700/- was practised by the the public and the said D C granted the stalls as per wish of the council. A representation was made in 1933 to the person who was Mirza Ismail who visited Chikmaglur in 1933 and he was pleased to give the Council instructions to accept the method in force quoted as

'No A 3-30 0 / 1 33 Encl 3 petitions' the system vogue in Bangalore and Mysore Municipalities may be continued for letting out the mutton stalls and the same being constructed in all the quarters of the town for the convenience of the public. Therefore instructions may be followed. Report of action taken may be submitted within a fortnight Sd/- B Thimraj rs. For Deputy Commissioner. Even in the stalls there granted on rental system at Rs. 1/- per mensem for bonafide butchers - a worse way of carrying out the above instructions when rent in said Madras Municipalities is Re. 1/- only.

6) For all eating [illegible] make a nominal condition [illegible] impose on the contractor to sell meat at maximum price level of [illegible] a seer. This relative is nice to look at, but the truth is that it is never observed by the contractor and never will be to himself (beginning low in July gradually rising in the months) [illegible] for above the limited [illegible] proposition to the contractor to sell at Rs. [illegible] large sum of Rs. 700/- is to be realised the public suffer both by paying higher

- -

reference to the legal adviser it is obvious to state that the conduct of the meeting and the resolution arrived at this meeting ill[illegible] and unjust The facts can be easily ascertained by inspecting the minute Book containing proceedings of the meetingsof Council [illegible] The worst of this is delay of the Council in the interest of the public , when it effects public's pockets and requirements

In conclusion the Public of Chikmaglur town humbly request bening Government to take immediate action

i) To cancel the arrangements of a single monopolist controlling the entire meat trade of the Town i.e Cancel the auction of 30 6
ii) To grant stalls as customary to Bonafide butchers as per tenders submitted in accordance with notification dated
iii) If possible to give stalls to bonafide butchers instead of wealthy individual contractor of which protest has been made in several representations.
iv) If possible reduce rents of the stalls as in Bangalore and Mysore and screw Stalls No: iii ; iv ; v and vi which never operate all the years and every year and in years and years to avoid congestion , let the working stalls be enlarged. By giving the low rents , more poor butchers can vend , thereby the consumers can get food at competative and reasonable price The rents in Bangalore and Mysore are like [illegible] to [illegible] per stall per month
v) If possible open more stalls in suitable places in the town .

For which act of kindness, we shall ever remain grateful,

We beg to remain,
Yours most obedient servants,
Per Pro V S Mohamed Yousuff & Sons

Chikmaglur.
24th August'43.

Originals to:-
i. The Deputy Commissioner, Kadur District, Chikmaglur.
ii) The President, Town Municipal Council, Chikmaglur.
iii) The Chief Secretary, To the Government of Mysore, Bangalore.
iv) Law Member.
v) Minister for Local and self Government, Bangalore.

****

[illegible] contractor
C A RECOUP
COFFEE PLANTERS & GOVT CONTRACTORS
CHICKMAGALUR

[illegible] Chikmaglur
Law Govt - Coffee Planter Chikmagalur
T Gurumallesadam
Proprietor Coffee Planter Chikmagalur
[illegible] (Coffee Planter BA - Agent M/s Parthasarathy &)
[illegible] (C M Robbins Ph D - Coffee Planter)

P Abdul Sattar & Sons
CLOTH MERCHANTS,
CHIKMAGALUR
ABDUL SATTAR SAIT,
CHIKMAGALUR
Per Pro Haji O m r Haji Habib

manager

Bala Shoe Store

Chickmagalur

S Abdul Rahim Sahib

V M

Merchant & Commission Agent

CHIKMAGALUR

For R K Mohamed Ebrahim & Sons

R K Abdul Hakk

T Mohamed Zickria Sahib,

MERCHANT

Chikmagalur (Mysore State)

for

A Rahim Sharff

Abdul Latheef Khan

for

P. Ahmed Hussain

Coffee Planter

Dated 23/5/43

Syed Yakub Sahib

FOR T M MOOSA EBRAHIM & Co.

PROPRIETOR.

Abdul Bazeer,

Lab. General Secretary

Anjuman e Islam

Chickmagalur

Mohamed Ali

Abdul Wahab

Member Local Committee

Chickmagalur

To
The Dewan of Mysore
Bangalore

OFFICE OF THE DEWAN
26843
170
SLCR
14 25/4
28 AUG 1943
LSG BRANCH

From,

The Public of Chikmagalur,
Chikmagalur

Respected Sir,

Regarding the Annual Auction Stalls in Chikmagalur Municipality for the year 1943-44 (1st July 43 to 30-6-44) we beg to represent the following grievance and humbly seek redress -

1) It was a practice in past years to grant stalls to professional butchers only at the rate fixed by the Council, in accordance with which tenders were called for stalls at 1/- per month, subject to the payment of three months rent in advance along with the tender accordingly 12 tenders were received in the Office within the time fixed for the purpose vide resolution no. 238 of General Meeting of 30-6-43.

2) The said meeting was held on 30-6-43, this subject was brought up the last but one it was included in the agenda. The time of discussion may be 9 P.M. or there about and the meeting was closed at 9-30 P.M. with that subject.

3) The allotment should have naturally taken place in the Council itself.

4) Regardless of the tenders received which were rejected without any reason the discussion was given the shape of "whether to give the stalls to the highest bidder collectively all IX stalls". It was resolved to by majority of members and there upon bids were called up on the spot and one bidder Abdul Rasool who bid for 670/- His bid was accepted as the highest and the stalls were granted to him.

5) The afore said procedure was illegal and contrary to the arrangement fixed (mentioned in para 1) It is detrimental to the consumers as the entire trade is in the hands of the monopolist,

-2-

fter it was resolv at late ni ht on - - illegality in itself to action that night, the resolution w o t into action on 1-7- 3 morning. s much as the fa t that the resol was illegal , not even fair time was allowed bef re giving effect to to the resolution or waiting even b ding Government's confirmation

The public protested to the local Deputy Commissioner on -7- by a memorandum signed by the responsible public and a consultation was then thereafter, the Deputy Commissioner was pleased to call report from (the Official) President of the Town Municipality whose letter may be perused from the files

8 The Deputy Commissioner has referred it back to the Council to reconsider the matter and give opinion about the cancellation

The Deputy Commissioner has not yet passed orders, and public have no redress of the grievances, hence the petition is placed before the Government authorities

10) The subject was included among the subjects of the ordinary meeting and the date fixed for the meeting 30-7- 43 which this was the last subject for the day, but unfortunately the meeting was adjourned to 1- -43 . In this meeting at one stage when some members had vacated their seats , were in the building holding talks with the contractor the Chairman (non-official) elected for the purpose of the meeting in the absence of the Official President adjourned the meeting ~~xxxxxxx~~ on the reason of " want of quorum" when the adjourned meeting concluded.

11 This adjourned meeting was opened once again immediately , it being explained to the meeting that as long as members were present there was no reason to adjourn the meeting for want of quorum This meeting is an adjourned meeting of ~~xxxxxxxxxx~~ an adjourned meeting i e And adjourned meetings illegal procedure some members left the spot any resolution passed in this meeting is like-wise illegal so far as this illegal meeting is concerned the situation stood as 4 members were for cancellation three were to the contractor , one neutral, members were of opinion that they could declare after obtaining legal opinion as to the legality under the contract whether to accept or cancel

30 6 43

the legal adviser It is obvious to state that the contract
ng and the resolution arrived at this meeting is
unjust The facts can be easily ascertained by inspecting
Book containing proceedings of the meetingsof Council
The worst of this is delay of the
in the interest of the public , when it effects Public's pocket
equirements

In conclusion the Public of Chikmaglur Town humbly
est bening Government to take immediate action
i) To cancel the arrangements of a single monopolist commanding the entire meat trade of the Town / e Cancel Auction of 30 6 43
ii) To grant stalls as customary to Bonafide butchers as per tenders submitted in accordance with notification dated
iii) If possible to give stalls to bonafide butchers instead of wealthy individual contractor of which prot st has been made in several representations
iv) If possible reduce rents of the stalls as in Bangalore and Mysore and scrap Stalls No iii , iv ; v and vi which never operate all the years and every year and in years and years to avoid congestion , let the working stalls be enlarged By giving the low rents , more meat butcheries will thrive , whereby the consumers can get food at competitive and reasonable price The rents in Bangalore and Mysore are like ?/- to 4/- per stall per month
v) If possible open more stalls in suitable places in the town

For which act of kindness, we shall ever remain grateful,

I beg to remain,
Yours most obedient servants,
p/ S/Shri Jayasingh
1er Pro V S-I elected leaders & Pros

Chikmaglur.
24th August'43

E A Raoof Khan HABOOB BAIG
PUNSALIS P & GENL MERCHANT
CHIKMAGLUR

Originals to:-
i. The Deputy Commissioner, Kadur District, Chikmaglur
ii) The President, Municipal Council, Chikmaglur
iii) The Chief Secretary, To the Government of Mysore, Bangalore,
iv) Labour Leader.
v) Minister for Local and self Government, Bangalore.

For Chief Signatory

Boggs Hussain contracted
AR Shaw
Bombay Agent
Lucky Tea Co Merchant — Chikmaglur
J Gundacharlu
Lt Col Pan Bx Agent M/s Hormusjee & Co
M Rabbi / G M Rabbi P D — Coffee Planters
M/s Ahmad & Sons, Coffee Planters, Chikmaglur
Adamgaon
For The Secretary
Pro Haji Oomer Haji Habi

Merchant & Commission Agent
CHIKMAGALUR

for R K Mohamed Shah & Sons

T Mohamed Zackria
MERCHANT
Chikmagalur (Mysore State)

FOR T M MOOSA EBRAHIM & Co.
PROPRIETOR.

COFFEE & CHARTS & COMMISSION AGENTS
CHICKMAGALUR

Memo No — L 2747 — dt 28/8/43

Forwarded with Compliments to the

Deputy Commissioner, Kadur District

Chickmagalur for favour of a report

regarding in continuation of this office

Memo No L 1484 dated 4/8/43

43

By order

Assistant

Deputy Commissioner's Office

Kadur District

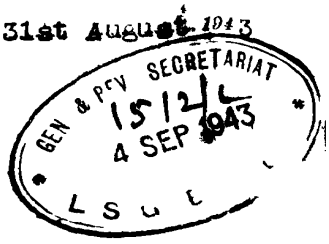
30 AUG 1943

Prompt

OFFICE OF THE DEPUTY COMMISSIONER
KADUR DISTRICT

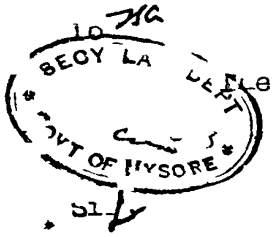
No A3 C 464/43-44
Encl Ore File

Chikmagalur dated 31st August 1943



From

The Deputy Commissioner,
Kadur District, Chikmagalur



To The Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Department, Bangalore

Subject - Re the disposal of mutton stalls in the Chikmagalur Municipality for the year 1943-1944

With reference to your memo No L 1434 dated 4-8-1943 and Memo No L 2717 dated 28th August 1943, calling for a report on the above subject, I have the honour to state as follows -

1 There are nine mutton stalls in the Chikmagalur Town Municipality Prior to the year 1938-39, the system of letting out the stalls by Public Auction was in vogue On the representation made by the butchers and the Public of Chikmagalur Town to the then Dewan during his tour in this District in April 1939, requesting that the stalls may be let out on monthly rentals as in the case of Bangalore and Mysore cities, the Dewan was pleased to instruct as follows, in his tour notes --

"The system in vogue in Bangalore and Mysore Municipalities may be adopted for leasing out the mutton stalls and the same being constructed in different quarters of the town for the convenience of the public"

2 For the last five years, the stalls were let out on fixed monthly rentals, till now with the intention of continuing the usual practice during the year 1943-44 also, the President, Municipal Council, Chikmagalur issued a notice calling for applications for vending mutton in the stalls on monthly fixed rents In response to this notice, twelve applications were received for the nine stalls

The question of allotting the stalls to the applicants was placed before the Municipal Council at their meeting held on 30-6-1945. As the ex-officio President was on leave, the Municipal Councillors who were present at the time of the meeting elected Mr K M Bhagath (the present non-official President) to preside over the days' meeting. Some of the Municipal Councillors suggested that the right of vending mutton in all the stalls may be sold in public auction to one individual and some others wanted it to be leased out on monthly fixed rents as usual. The proposition of rejecting the individual tender applications and selling all the stalls in public auction enbloc was put to vote. Eight members voted for the proposition and five against it. Accordingly, the right of selling mutton in all the stalls enbloc was put up for auction and the highest bid of Rs 6,700/- offered by one Mr D Abdul Rasool is accepted by the Municipal Council and the sale was confirmed.

4. Immediately after the confirmation of the sale, the bona-fide butchers and the residents of Chirmagalur brought before me loud complaints that they will be put to much inconvenience if all the stalls are given to one individual and that the present contractor, with a view to make up the huge sum of Rs 6,700/- would sell mutton at an exhorbitant rate. The matter was referred to the Municipality for furnishing their opinion for the cancellation of the present contract.

5. At the meeting of the Municipal Council held on 1-8-45, the majority of the councillors suggested that the legal opinion as to the liabilities of the council, if the sale is cancelled, may be called for. Accordingly the Public Prosecutor, Kadur District, was addressed to furnish his opinion in the matter. He is of opinion that as it is open to the Municipal Council to sell the right of vending mutton to the highest bidder, and as the bid of Mr D Abdul Rasool Sab has been accepted.

the contract is complete and any breach thereof by one party may result in a suit for damages

6 According to Section 148 (1) of the Town Municipalities Act, the Municipal Council may from time to time open or close any public market or slaughter-house The opinion furnished by the Public Prosecutor was placed before the Municipal Council at their special meeting held on 14-8-15 Three of the members voted for not cancelling the contract and nine members voted for the cancellation of the contract, if by its action the council is not liable for any damages

7 The contractor Mr D Abdul Rasool Sab, appeared before me on 30-8- and gave a written statement, agreeing to the termination of his contract subject to the following terms -

(a) that the period of his contract up-to-date to be treated as a rent as in the previous year,

(b) that the balance of his deposit amount should be refunded to him and

(c) that the mutton stalls should be let out on monthly rents to the six persons who were vending mutton during the last year

8 In my opinion, though the contract system is be eficial to the Municipality, it will be disadvantageous to the Public The contractor will have the whole monopoly of the business for this big town and he will sell mutton at very high rates or sell inferior stuff causing great hardship to the meat-eating public, most of whom are poor, hard-working labourers who require a sustaining diet Further, the professional butchers who are really poor will also be put to much trouble and hards ip, if the entire monopoly vests in one person only In these days of hardship when the prices of food-stuffs have gone up, it is necessary that arrangements should be made for the availability of mutton at as cheap a rate as possible in the interests of hard working poor people The President of the Town Municipality is also of opinion that the system which was in vogue in previous years, viz , leasing out the stalls on fixed monthly rents may be continued

9 In consideration of the disadvantages of the new system brought into effect from 1st July 1943, and the urge of the public for reversion to the old system, I have instructed the President, Municipal Council, Chikmagalur, to give away the mutton stalls ~~on direct lease basis~~ to the contractors who were doing business in the last year at the rates which were in force Rents at the usual rates will have to be recovered from the present contractor and the balance amount out of the sum of Rs 1765 deposited by him will have to be refunded to him As the contractor has agreed to the termination of his contract and as the Municipal Council will not be liable for any damages in view of the contractor's statement, I think it is better if the system which was in vogue in the last year ~~may be~~ continued this year also

10 In these circumstances, I request that sanction or Government may be kindly obtained for the ~~xxxxxxxx~~ resolution of the Chikmagalur Municipal Council dated ~~16-8-43~~ 14 8 43 and to the proposal of letting out the stalls as in the last year

The connected records are enclosed for favour of reference

I have the honour to be,
Sir,
Your most obedient Servant,

Deputy Commissioner,
Kadur District

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SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 21/9 19

Signed by W^m G R Rao

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

Section Rl

File No 111—43

Serial No 37

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Correspondence with letter No. A3 c 464/43-44 dated 31st August 1943 from the Dy Commr Kadur Dt submitting a report in the matter of the lease of the nine Mutton Stalls under the control of the ~~Order thereon.—No~~ Chikmagalur Town Municipal Council in the Town order 3473-4 dy

The Mutton Stalls were let out on fixed monthly rentals for the last five years in accordance with

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has passed by the Chief
of Town Municipal Council at
meeting held on the 30th
1943, the lease of the
Stalls en block was sold
to Mr. D Andre Rasool
Rs 6900/- for the year 1943-44
a bona fide butchers and the
residents of Chekuwaga town
protested against this procedure
on the ground that they would
be put to much inconvenience and hardship
as the lessee is often to make
up the huge amount by this
contract would charge exorbitant
rate for meat. and the Municipal
Council thereupon at the meeting
held on the 14th August 1943
resolved to cancel the lease
and without any benefit on them
also proposed
part and with the consent of
the lessee to continue

List of Enclosures

Copied by
Examined by

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

the lease of the ~~stalls~~ on fixed monthly rents as in previous years. The Mayor states that, in consideration of the disadvantages of the new system introduced by him, and the urge of the public for reversion to the old system, he has instructed the President of the Municipal Council to give away the Mutton stalls to the traders who were doing business in the previous ~~last~~ year at the rates then in force and to recover the rent at the usual rate from the present lessee for the period remaining to run of his lease, deducting the balance out of the sum of Rs 1765/- deposited by them. ~~He also~~ He recommends that, as the Municipal Council would not be liable to any damages in view of the Contractor's ~~document~~ consent to

WD 0000—GPB—22,500—14-3-38

Le

Mr Bear, the
Can of the Municipal
e dated 14th August
3 May be sanctioned
The resolution of the
Local Council is
recorded

for
Jr Secretary of State
Law Dept

To the Dc Kadra with reference
re Compensation to Govt

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

READ -

Correspondence ending with letter No A3 C 464/43-44 dated 31st August 1943 from the Deputy Commissioner, Kadur District, submitting a report in the matter of the lease of the nine Mutton Stalls under the control of the Chickmagalur Town Municipal Council in the Town

ORDER NO L3473-4/and III-43-32

Dated, Bangalore, the 21st September 1943

The mutton stalls were let out on fixed monthly rentals for the last five years In accordance with a resolution passed by the Chickmagalur Town Municipal Council at its meeting held on the 30th June 1943, the lease of the nine stalls, erbloc was sold to one Mr D Abdul Rascol for Rs 6,700/- for the year 1943-44 The bona fide butchers and the residents of chickmagalur town protested against this procedure on the ground that they would be put to much inconvenience and hardship, as the lessee in order to make up the huge amount of his contract would charge exorbitant rate for meat The Municipal Council thereupon resolved at the meeting held on the 14th August 1943 to cancel the lease without any liability on their part and also proposed with the consent of the lessee to continue the lease of the stalls on fixed monthly rents as in previous years The Deputy Commissioner has stated that, in consideration of the disadvantages of the new system introduced for 1943-44 and the urge of the public for reversion to the old system, he has instructed the President of the Chickmagalur Municipal Council to give away the mutton stalls to the contractors who were doing business in the previous year at the rates then in force and to recover the rent at the usual rate from the present lessee for the period he was holding the stalls, refunding the balance out of the sum of Rs 1765/- deposited by him He also recommends that, as the municipal council would not be liable to any damages in view of the contractor's consent to

terminate his lease, the resolution of the municipal council dated 14th August 1943 may be sanctioned.

The resolution of the municipal council is recorded

For Secretary to Government,
Law Department

To

The Deputy Commissioner, Kadur District, with records

Comptroller to Government

sr/3